## REMARKS

Reconsideration of the present claims, in light of the attached claim clarifications and the Remarks, which follow, is respectfully requested.

Claims now before the Examiner are 1, 3-12, 15, and 17-48. Claims 1, 3-12, 15 and 17-21 are based on and amended from, claims 1-21 of the issued patent. Claims 22-48 are new.

The numbering in this Response will follow that of the Examiner's Action.

**Non-Compliance**

1. Concurrently with this Paper, Applicants are resubmitting a declaration by the Assignee, with a more specific discussion of the error which leads to the filing of this Reissue Application.

2. The Examiner objects to claims 22-48. In an Interview with the Examiner 3.27.06, the Examiner suggested resubmitting these claims, as they had not been previously entered. Accordingly, as suggested by the Examiner, they are designated "New", as requested.

3. The Examiner states that Applicants are required to point out the differences between the new claims and the original sets of patented claims. Applicants do not find such a requirement in the MPEP. If such a requirement exists, Applicants respectfully request that the Examiner cite an MPEP section. Nonetheless, the new claims are as follows:

New claim 22. incorporates claim 12 and further defines claim 1 by using the element "tridentate ligated group".

New claim 23 further modifies claim 22, and by incorporation, claim 1, by the element of combining the catalysts and activator with a support.



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New claim 24 further modifies claim 12 and by incorporation, claim 1,by specifically naming the activator and combining both catalysts and activator with a support.

New claim 25 further modifies claim 23 by stating when the first and second catalyst components are combined with an activator, and also further modifies/delineates the olefin(s).

New claim 26 further modifies claim 24 by stating when the first and second catalyst components are combined with an activator, and also further modifies/delineates the olefin(s).

New claim 27 further modifies claim 23 by stating a selection of monomers and by stating a mole ratio of comonomer to ethylene.

New claim 28 further modifies claim 24 by stating a selection of monomers and by stating a mole ratio of comonomer to ethylene.

New claim 29 further modifies claim 23 by stating a selection of monomers and by stating a mole ratio of comonomer to ethylene.

New claim 30 further modifies claim 24 by stating a selection of monomers and by stating a mole ratio of comonomer to ethylene.

New claim 31 further modifies claims 1, 9 and 22 by a specific formula for the first catalyst component of each of those claims.

New claim 32 further modifies claim 12 by a specific formula for the first catalyst component of each of those claims.

New claim 33 further modifies claim 9 by defining some of the physical properties of a polymer produced by the polymerization process of claim 9.

New claim 34 is an independent claim directed to the same type of subject matter as claims 1-21, specifically of a polymerization process, and new claim 34 describes the first and second catalyst components similarly to those descriptions in claims 6 and 12.

New claim 35 is an independent claim directed to the same type of subject matter as claims 1 and 6.

New claim 36 further defines the metallocene compound of claim 35.

New claim 37 further defines the first catalyst component of claim 36.



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New claim 38 further defines the process of claim 37 by adding a support and defining the olefin(s), adding the mole ratio of comonomer to ethylene and defining some of the physical properties of the polymer produced.

New claim 39 further defines claim 38 by defining the order of mixing of the catalysts and addition of the catalysts to the reactor, as well as a ratio of first and second catalyst components.

New claim 40 is an independent claim directed to a process of polymerization similar to claim 1, with the addition of definition of the first catalyst component.

New claim 41 is further defines claim 40 by adding a specific activator and combining the catalysts and activator on a support.

New claim 42 further defines claim 41 by listing olefin(s) that may be used and delineating polymer physical properties.

New claim 43 further defines claim 42 by defining the second catalyst compound.

New claim 44 further defines claim 42 by defining the second catalyst compound and defining the olefin(s) that may be used and the ratio of ethylene and comonomer.

New claim 45 further defines claims 40 and 44 by defining the second catalyst compound.

New claim 46 further defines claims 40 and 44 by defining the second catalyst compound.

New claim 47 further defines claim 45 by defining a ratio of first and second catalyst compounds and process manipulations such as reaction temperature to broaden or narrow molecular weight distribution, and adding a slurry of aluminum distearate to the reactor.

New claim 48 further defines claim 46 by stating a ratio of first and second catalyst compounds and process manipulations such as reaction temperature to broaden or narrow molecular weight distribution, and adding a slurry of aluminum distearate to the reactor.



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4. The Specification stands Objected to due to a mis-spelling. The amendments to the Specification address this Objection.

5. & 6. The amendment to the specification and claims 12, 15, 22-32, 35-39 and 43-48 is Objected to as new matter, because the Specification does not indicate that the M of Formula I and II can be different from the M of Formula III. Applicants do not agree. In the specification at column 2, lines 29-38 "...where the second metal compound, is different from the first metal compound...". Nonetheless, to facilitate prosecution, these proposed clarification amendments have been eliminated. The fact remains however, that the metals in the two metal containing compounds can be different.

7. The Examiner states that Applicants must indicate how claims 34-48 differ from claims (patented) 1-21. This requirement overlaps that of paragraph 3, which is addressed above.

8. All of the Examiner's Objections directed to non-compliance issues have been addressed. Withdrawal of the Objections is respectfully requested.

9. The verbiage of this paragraph states that the Examiner *may* make a restriction, but does not appear to Applicants that a restriction is actually made. Clarification is respectfully requested. The Examiner further states that the invention of claims 1, 3-12, 15 and 17-48 are considered patentably distinct from the patented claims 1-21, and that the "invention of instant claims 1-8, 10-31 is drawn to preparation of emulsion or a suspension..." Applicants do not understand any part of this paragraph. first, the statement of the claims over-laps, that is originally patented claims 1-21 are included in those "patentably distinct" from "the patented claims 1-21", and second there is no "emulsion" used in any of the claims and "suspension" is used only in reference to how the catalysts might be added to a polymerization reactor. Applicants believe that all the new claims are to either the same or similar subject matter as the now amended originally issued patent claims. And Applicants further believe that none of the new claims is broader than the amended original 21 claims. Clarification and removal of this requirement is respectfully requested.

10. No response necessary.



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The claims are in condition for allowance.

Note is made that the correspondence should be sent to:

Douglas W. Miller
In representation of Univation Technologies, LLC
c/o Maureen M. White
Univation Technologies, LLC
5555 San Felipe, Suite 1950
Houston, Texas 77056
Facsimile: 713.892.3687

However the telephone number for Douglas W. Miller is (409) 763-4200.

Respectfully submitted,

Douglas W. Miller
Agent for Applicants
Registration No. 36,608

Southwest Patent Services
305 21st Street, Suite 249
Galveston, TX 77550

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

March 30, 2006
Date

Douglas W. Miller
Registration No. 36,608



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